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FM AMEMBASSY BANGKOK  
TO RUEHC/SECSTATE WASHDC 8725  
INFO RUCNDT/USMISSION USUN NEW YORK 5171

UNCLAS BANGKOK 004235

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DEPT FOR ISN, L, S/CT, EAP/MLS

E.O. 12958: N/A

TAGS: [PTER](#) [KNNP](#) [MCAP](#) [PINR](#) [PARM](#) [PREL](#) [TH](#)

SUBJECT: THAILAND REVIEWING NEXT STEPS ON INTERNATIONAL  
CONVENTION FOR THE SUPPRESSION OF ACTS OF NUCLEAR TERRORISM

REF: STATE 102149

1.(U) This is an action request. Please see para 3.

12. (U) SUMMARY: MFA legal experts are preparing to review Thailand's legal framework to ensure it is in compliance with the International Convention of the Suppression of Acts of Nuclear Terrorism (NTC). Once MFA has finished its review and proposed any necessary changes in Thai law, it will recommend that Thailand ratify the convention, which it has already signed. The ASEAN Counter-terrorism convention will take precedence over the NTC, which will therefore not be ready for ratification until the new year at earliest. MFA requested the US provide information on its legislation implementing the NTC, which could assist Thailand in its review process. In 2007, Thailand ratified two more of the 13 UN Counter-terrorism conventions: the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons including Diplomatic Agents, and the Convention for the Suppression of Terrorist Bombings. End summary.

13. (U) MFA legal division representatives told Polcouns on August 1 that Thailand had already signed the International Convention for the Suppression of Acts of Nuclear Terrorism. MFA legal experts would need to review Thailand's legislation and determine if they could comply with the provisions of this treaty without amending their legislation. Based on their initial assessment, they believed that their penal code had, for the most part, adequate provisions to cover criminal acts prohibited by the Convention. However, they thought that they might need to propose changes to some regulations concerning the prevention of misuse of nuclear materials. They asked if the US could share information on its legislation implementing the NTC. ACTION REQUEST: Please provide any information on relevant US legislation that could be used by the Thai as an example as they review their legislation for compliance with the NTC. End action request.

14. (U) MFA officials said that this review process was very time-consuming. They had to complete the review for the ASEAN Counter-terrorism agreement, which is a high priority for the government, first; they did not anticipate taking action on the Suppression of Acts of Nuclear Terrorism convention until early in the new year at best. Regarding the ratification procedure, they were not certain what would be required. Under the previous constitution, this convention would not have required parliamentary approval. If the new constitution (submitted for a referendum this month) is adopted, the convention might require parliamentary approval, as the new charter greatly expands the authority of parliament to review international agreements. This question will require further legal review. If parliamentary ratification is not required, the convention will be submitted to the Cabinet for ratification once the legal

review is completed.

15. (U) MFA officials pointed out that Thai has ratified two more of the 13 UN counter-terrorism conventions this year. The Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons including Diplomatic Agents was ratified on February 23 and entered into force on March 25. The Convention for the Suppression of Terrorist Bombings was ratified June 12 and entered into force on July 12.

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